

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RYAN NEWSOME,

No. 2:17-cv-00446-YY

Petitioner,

v.

BRIGITTE AMSBERRY,

ORDER

Respondent..

HERNANDEZ, District Judge:

Magistrate Judge You issued a Findings & Recommendation (#23) on February 20, 2018, in which she recommends the Court deny Petitioner's Petition for Writ of Habeas Corpus and deny a Certificate of Appealability. Petitioner has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

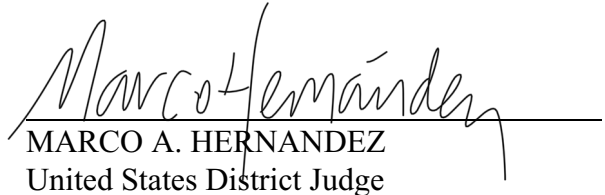
I have carefully considered Petitioner's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings & Recommendation [23], and therefore, the Petition for Writ of Habeas Corpus [1] is denied. Because Petitioner fails to make a substantial showing of the denial of a constitutional right, a Certificate of Appealability is denied.

IT IS SO ORDERED.

DATED this 4 day of APRIL, 2018.


MARCO A. HERNANDEZ
United States District Judge